

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRANCESCO GALLO,

Plaintiff,

-against-

Index #: 07 CV 06418  
(CM) (HP)

**AFFIDAVIT**

ALITALIA - LINEE AEREE ITALIANE-  
SOCIETA PER AZIONI,  
PIERANDREA GALLI, and GIULIO LIBUTTI,

Defendants.

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STATE OF NEW YORK )  
 ) SS  
COUNTY OF NEW YORK )

I, GABRIELE MARIOTTI, do hereby state and declare under the penalties of perjury as

follows:

- 1) I am over the age of 18 and reside in the County of Dutchess, State of New York.
- 2) I began working for ALITALIA around 1990 and held different positions there, including Sales Regional Manager, Director of Sales U.S.A., Director of Pricing North America.
- 3) In or around November 2003 I heard Giulio Libutti talking on the phone, complaining that he wanted to fire that "cunt" Angela Ross, but Franco Gallo would not let him do it. I heard him making the following comments:

"I can't stand her because she's an old fart, ugly, hairy and with bad breath, and I only wants good looking young girls with a nice ass around me. Only a fucking Jew could fuck her, and no one else would even touch her".

- 4) On an ongoing basis in 2004, he often asked me if it was true that Alitalia Employees Ester Lorusso and Elizabeth Santella would fuck together; they better not be, he said, because "I bet they lick each other's pussy" "I hate gays and lesbians"
- 5) Around September, 2004 he asked me to fire Dolores Kitzig because "she is an old fart and I cannot stand to see her old face around me". I immediately reported this statement to Mr. Francesco Gallo and Stephanie DiClemente, who was at the time the HR Manager. I believe they warned Libutti about his conduct.
- 6) In the Spring of 2006, as soon as another employee Marilyn Abbot was put under my supervision, Libutti asked me to fire her because she was too old, black and female. I refused to entertain his request and reported this conversation to Mr. Gallo who warned Libutti about his conduct. A few weeks later, I told Libutti that Abbot needed a pay increase as she was making much less than one of her subordinates. Libutti snapped back saying that we were already paying her enough, being black and an old "rompicoglioni", which is a derogatory word for ball-breaker.
- 7) Around the end of Summer 2003, Francesco Gallo, Pierandrea Galli and I had dinner. While Francesco excused himself to go the bathroom, Galli told me to speak to Francesco and convince him to retire: "his time has come, he's old, he should go now"
- 8) Around February/March 2006, Libutti wanted me to fire a pregnant employee, Concetta Alioto adding that if I don't fire her he would go and kick her belly.
- 9) Libutti as well as his superior, Galli would continually and on an on-going and pervasive basis, use the term "Frocio," an Italian derogatory word for a gay man which is actually more offensive than the use of the English word "faggot". Libutti and Galli would frequently use the same term throughout my work environment in my presence. This term was horrifically offensive to me.

- 10) The Italian term, "frocio," is very derogatory. The level of its crudeness is the equivalent to the English term, "cunt." The offensive intensity of the two terms is the same. The level of discomfort a woman in America may feel when called a "cunt" is as bad as the level of discomfort a gay male would feel when called a "Frocio" in Italian. I would personally hear this term on many occasions throughout my employment with Alitalia in New York. Libutti and Galli would call others and me this term on a continual and pervasive basis. I hated this derogatory term. It was very hurtful and I felt completely degraded and humiliated because I am a gay male.
- 11) Furthermore, there was a man named Francesco "Franco" Gallo who was the Senior Vice President of Alitalia who would tell me on a continual and pervasive basis, at least once per week for at least the last 5 months of my employment, that Giulio Libutti (Senior Vice President of Sales) and Pierandrea Galli (Senior Vice President of Worldwide Sales) would refer to me as a "Frocio" and that they wanted to fire me because of this. In fact, Franco Gallo told me that as far back as 2003, Libutti and Galli started mentioning their dislike and even hatred of me because of my homosexuality and because I opposed their and Alitalia's policy of both firing and not hiring older workers.
- 12) In referring to my sexual orientation, Libutti would frequently tell me that I'd better start belonging to the "team." It was clear to me that Libutti was referring to my sexual orientation and not to anything else.
- 13) Just by way of example is around March of 2004, in my presence and aware that I am gay, Libutti and Galli referred to another employee named, Futterman, as a "Frocio" and then proceeded to ask me if I knew whether Futterman was a "top" or a "bottom." Libutti and Galli asked me this knowing that I am gay as a personal and malicious insult to me. Again, this is just by way of example and this is the type of comments that I would hear at work on a continual and pervasive manner over and over and over again.

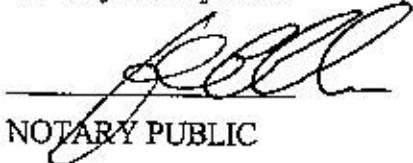
- 14) Around August of 2004, I applied for a promotion to the position of Senior Director of Sales. Rather than promoting me, Libutti decided to promote another employee named Marco D'Ilario who had no previous significant experience in sales. I, on the other hand, had been previously Alitalia's USA Director of Sales and before that I was Sales Regional Manager and Sales Country Manager. Moreover, Alitalia's Senior Vice President, Francesco Gallo, admitted to me that Libutti and Galli did not promote me to the position because they hated that I am gay; they hated the fact that I was not younger and they hated that I had previously let them know of my opposition to their policy of not hiring and firing older workers.
- 15) I complained about the above incidents to Alitalia, but was brushed off and retaliated against for same.
- 16) By way of another example of the offensive, sexually hostile work environment, is that around September of 2004, Galli stated in my presence and because of my presence, referring to Alitalia's Manager of Long Haul Pricing in Rome: "I'd like to fuck Marzia doggy style . . . while fucking her, I'd whip her and dig my nails in her back." As a result, I was again made to feel sick, humiliated and harassed. Again, this is just an example of the type of comments that I would hear in the workplace on an on-going basis; most of the time even on a daily basis throughout my employment with Alitalia.
- 17) Another example, and just an example, is when around the summer of 2003, my boss, Libutti asked me what the name was of a particular female employee, Grace DiFranco who walked in front of us. When I told him her name, he told me she "had the best fuckable ass ever" and because her face was so "ugly" he would have to "put a pillow over her face while fucking her doggie style." My boss, Libutti then added, "You can bet that I will fuck her." I was deeply offended by this comment like this. I don't like these types of discriminatory and sexually charged comments at all, let alone in the workplace. Again, this is just another example of the type of sexually charged, offensive and discriminatory comments that I would hear on a continual and pervasive basis. Most of the time, I would

hear comments like this even on a daily basis. Libutti and Galli perpetrated this type of conduct. I believe these types of comments were made to me to harass me because of my sexual orientation. Francesco Gallo opposed this conduct and was retaliated against because of it.

18) I swear and affirm that the above is true and correct to the best of my knowledge.

  
GABRIELE MARIOTTI

Sworn to before me this  
21<sup>st</sup> day of May 2008

  
NOTARY PUBLIC

